

EXHIBIT K

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
(ST. JOSEPH DIVISION)**

RIGHTCHOICE MANAGED CARE INC.,)	
<i>et al.</i> ,)	
)	CIVIL ACTION NO.:
Plaintiffs,)	
)	5:18-cv-06037-DGK
v.)	
)	
HOSPITAL PARTNERS INC., <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

**AMENDED RESPONSES TO PLAINTIFFS' FIRST SET OF REQUESTS FOR
ADMISSION, PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION, AND
PLAINTIFFS' FIRST SET OF INTERROGATORIES BY DEFENDANTS HOSPITAL
PARTNERS, INC., EMPOWER H.I.S., LLC, DAVID BYRNS AND JORGE PEREZ**

In accordance with Fed. R. Civ. P. 26(b)(1), 33, 34 and 36, and the Local Rules for the Western District of Missouri, Defendants HOSPITAL PARTNERS, INC., EMPOWER H.I.S., LLC, DAVID BYRNS and JORGE PEREZ ("Defendants"), by and through their undersigned counsel, hereby amend their prior responses to Plaintiffs' First Set of Requests for Admission, Plaintiffs' First Set of Requests for Production and Plaintiffs' First Set of Interrogatories, in accordance with the above-mentioned Rules, as follows:

RELEVANT HISTORY

1. On November 26, 2018, Defendants provided their responses to Plaintiffs' First Set of Requests for Admission, Plaintiffs First Set of Requests for Production and Plaintiffs First Set of Interrogatories (collectively, the "Responses").

2. On January 7, 2019, Plaintiffs' counsel and Defendants' counsel held a "meet and confer" conference to discuss Plaintiffs' claimed deficiencies with the Responses.

3. At that time, counsel for Defendants informed counsel for Plaintiffs that they had

recently been contacted by the United States Department of Justice (“DOJ”) (on January 4, 2019 and January 7, 2019) as to the existence of a criminal investigation, which potentially involves parties in the within litigation. Counsel for Defendants further noted that at this time it is unclear as to the nature of the investigation, but that it appears that most, if not all, of the parties in the within litigation are the subject of the investigation.

4. For that reason, and until the scope and targets of the DOJ investigation become clear, Defendants must at this time, at least on a temporary basis, assert their Fifth Amendment rights, primarily at this point related to the “Act of Production,” as well as reserving their other rights related to Self-Incrimination, to the extent that same becomes necessary, advisable or desirable.

5. Once the scope and targets of the DOJ investigation become clear, Defendants will commit to a final position on exercising their Fifth Amendment rights, vis-à-vis the within litigation.

6. Other than as modified and amended herein, the Responses remain in full-force and effect.

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Admitted Pro Hac Vice

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served electronically to:

COUNSEL OF RECORD FOR PLAINTIFFS

This 11th day of January 2019.

FMS LAWYER PL

By: /s/ Frank Smith

Frank Smith